

1 HEATHER E. WILLIAMS, #122664
2 Federal Defender
3 RACHELLE BARBOUR, #185395
4 Assistant Federal Defender
5 OFFICE OF THE FEDERAL DEFENDER
6 801 I Street, 3rd Floor
7 Sacramento, CA 95814
8 Tel: 916-498-5700
9 Fax: 916-498-5710
10 Rachelle_Barbour@fd.org

11 Attorneys for Defendant
12 KONG XIONG

13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,) Case No. 2:22-mj-00063-AC_____
16 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
17 v.) TO MODIFY CONDITIONS OF RELEASE
18 KONG XIONG,) Judge: Hon. Allison Claire
19 Defendant.)
20 _____)

21 Defendant, KONG XIONG, through his attorney, Assistant Federal Defender Rachelle
22 Barbour, and the UNITED STATES OF AMERICA, through Assistant United States Attorney
23 Alstyn Bennett, do hereby agree and stipulate to the following modifications of Mr. Xiong's
24 Conditions of Pretrial Release to enable him to live with family closer to the District where he is
25 charged. The Pretrial Services Office, through Mr. Xiong's Pretrial Services Officer, Monica
26 Bentley, agrees with this request and has investigated and approved the new address.

27 Mr. Xiong has been ordered to appear in court in the District of Nebraska on May 17,
28 2022 for his first appearance. This Court released him from custody on April 27, 2022 pursuant
to conditions of release and pretrial supervision. He will fly to Nebraska for court on May 16,
2022.

1 To enable Mr. Xiong to be closer to court and to his attorney in Nebraska, Mr. Xiong has
2 requested to be approved to live with his brother, Arnold Xiong, in Storm Lake, Iowa, rather than
3 living with his aunt in Sacramento. Pretrial Services agrees with this change and has spoken
4 with Arnold Xiong and finds that to be an appropriate release address. With the support of
5 Pretrial Services, the parties request that the Sacramento-specific conditions of release be
6 modified to allow for Mr. Xiong to live in Iowa with his brother after his appearance in Nebraska
7 if the Court in Nebraska also agrees.

8 Accordingly, the parties request that condition #3 be modified to read:

9 3. Until your first appearance in the District of Nebraska, you must reside with your aunt
10 Ann Yang, and not move or absent yourself from this residence for more than 24 hours
11 without the prior approval of the pretrial services officer. After your first appearance in
12 Nebraska, and if approved by the District of Nebraska, you must reside with your brother
13 Arnold Xiong in Iowa, and not move or absent yourself from this residence for more than
14 24 hours without the prior approval of the pretrial services officer.

15 The parties request that condition #5 be modified to add “and the Northern District of
16 Iowa if that residence is approved by the District of Nebraska.”
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2 The parties request that the following be added to condition #14:

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4 14. If Mr. Xiong is approved to live in Iowa, this condition is stricken, and he need not
appear in Better Choices Court in Sacramento.

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The Pretrial Services Officer has reviewed this stipulation and concurs.

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Dated: May, 12, 2022

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Respectfully submitted,

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HEATHER E. WILLIAMS
Federal Defender

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/s/ Rachelle Barbour

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RACHELLE BARBOUR
Attorney for Defendant
KONG XIONG

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Dated: May 12, 2022 _____

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PHILIP TALBERT
United States Attorney

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/s/ R. Barbour with approval of
Alstyn Bennett
ALSTYN BENNETT
Assistant United States Attorney
Attorney for the United States

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ORDER

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IT IS SO ORDERED.

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The Pretrial Services Office shall provide the Court with an updated copy of the Conditions of
Release with the above modifications.

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Dated: May 13, 2022

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ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE